

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MARIA DE LA LUZ GARCIA DE
CARRILLO,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:22-cv-00428-DAD-SAB

ORDER VACATING FINDINGS AND
RECOMMENDATIONS TO DENY
PLAINTIFF'S APPLICATION TO
PROCEED IN FORMA PAUPERIS AS
MOOT; AND DIRECTING CLERK OF THE
COURT TO ISSUE SUMMONS AND
SERVE DEFENDANT UNDER E-SERVICE
PROGRAM

(ECF Nos. 4, 6)

On April 12, 2022, Plaintiff Maria De La Luz Garcia de Carrillo ("Plaintiff") filed the complaint in this action seeking judicial review of the final decision of Defendant Commissioner of Social Security ("Defendant") denying an application for benefits under the Social Security Act. (ECF No. 1.) Plaintiff also filed an application to proceed *in forma pauperis* on the same day. (ECF No. 2.) On April 14, 2022, the Court issued an order denying Plaintiff's application to proceed *in forma pauperis* without prejudice and requiring Plaintiff to file a long form application. (ECF No. 3.) On May 10, 2022, Plaintiff filed a long form application. (ECF No. 4.) On May 11, 2022, the Court issued findings and recommendations to deny Plaintiff's application to proceed *in forma pauperis* and require Plaintiff to pay the filing fee or face dismissal. (ECF No. 6.) On June 22, 2022, Plaintiff paid the filing fee in full.

Therefore, the Court finds it appropriate to vacate its prior findings and recommendations and deny the pending application as moot. The parties are hereby directed to paragraph 1 of the scheduling order to be issued in this action, which provides that service of the Defendant shall proceed under the Court's E-service program.

Accordingly, IT IS HEREBY ORDERED THAT:

1. Plaintiff's May 10, 2022 application to proceed *in forma pauperis* (ECF No. 4) is DENIED as moot;
2. The May 11, 2022 findings and recommendations recommending that Plaintiff's application to proceed *in forma pauperis* be denied and Plaintiff be required to pay the filing fee (ECF No. 6) are VACATED;
3. The Clerk of the Court is DIRECTED to issue a summons and new case documents; and
4. The Clerk of the Court is DIRECTED to deliver to the Commissioner of Social Security Administration and the United States Attorney's Office at their designated email addresses, a notice of electronic filing of this action along with the summons and complaint.

IT IS SO ORDERED.

Dated: June 24, 2022


UNITED STATES MAGISTRATE JUDGE